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In the Matter of the Claim of:

MARIO GOMEZ and AWILDA GOMEZ,

Claimants,

-against-

SLEEPY HOLLOW POLICE DEPARTMENT and Police  
Officers known as DETECTIVE QUINOY, ELDRYK  
EBEL, MIKE GASKER, LIEUTENANT BARRY CAMPBELL,  
LIEUTENANT HAYES, SERGEANT HOOD, CHIEF OF  
POLICE JIMMY WARREN and JOHN DOES NO. 1-4  
whose names are presently unknown, and THE  
VILLAGE OF SLEEPY HOLLOW,

Respondents.

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HELD AT: Young & Bartlett, LLP  
81 Main Street Suite 118  
White Plains, New York 10601  
March 30, 2007 1:55 p.m.

Deposition of the Claimant,  
AWILDA GOMEZ, held pursuant to Section 50-h  
of the General Municipal Law of the State of  
New York, held at the above time and place  
before a Notary Public of the State of New  
York.

J & L REPORTING SERVICE  
of Westchester, Inc.  
200 East Post Road  
White Plains, New York 10601  
(914) 682-1888  
Nancy P. Tendy, Reporter

A P P E A R A N C E S:

YOUNG & BARTLETT, LLP  
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Office & Post Office Address  
The Esposito Building  
240 Mineola Boulevard  
Mineola, New York 11501  
BY: JENNIFER E. SHERVEN, ESQ.

1 A. GOMEZ 3  
2 AWILDA GOMEZ, residing at  
3 residing at 1 River Plaza, Apt.  
4 4E, Tarrytown, New York 10591,  
5 having been duly sworn by  
6 Notary Public, Nancy P. Tendy,  
7 testified as follows:

8 EXAMINATION BY

9 MS. SHERVEN:

10 Q. Good afternoon, Mrs. Gomez. My  
11 name is Jennifer Sherven. I'm from the law  
12 firm of Miranda, Sokoloff, Sambursky,  
13 Verveniotes, and we represent the  
14 Respondents, the Village.

15 I'm going to be asking you a  
16 series of questions today regarding your  
17 claims. If at anytime you do not understand  
18 my questions, please tell me, and I will  
19 rephrase the question, okay.

20 A. Okay. Is better you talking a  
21 little slow, okay.

22 Q. Okay. If at anytime you don't  
23 understand me or need me to speak slower,  
24 just let me know.

25 A. Okay, fine.

1 A. GOMEZ 4

2 Q. And please respond verbally to  
3 every question because the Court Reporter is  
4 taking down everything that we say here.

5 A. Yes.

6 Q. Do you have any physical or  
7 mental conditions that could interfere with  
8 your ability to testify here, today?

9 A. Not really mental or physical,  
10 but this problem affect me a lot.

11 Q. When you're referring to this  
12 problem, what are you referring to?

13 A. I am referring to what happened  
14 on the 17th, the problem with my case, with  
15 my husband. I was there and everything. I  
16 saw everything what happened at the night,  
17 and they changed my life, the day the 17th  
18 to today.

19 Q. Is there some reason that that  
20 is going to interfere with your ability to  
21 testify, here, though?

22 A. No. No. No.

23 MS. SHERVEN: I move to strike  
24 the portion that's nonresponsive.

25 Q. Is there any other reason why

1 A. GOMEZ 5

2 you wouldn't be able to testify correctly or  
3 accurately today?

4 A. No. Everything is fine. I  
5 don't have a reason.

6 Q. Have you taken any medication,  
7 whether it's prescription medication or  
8 over-the-counter within the last twenty-four  
9 hours that would interfere with your ability  
10 to testify?

11 A. No. I'm not taking any  
12 medication.

13 Q. I don't mean any offense in  
14 asking you the next question. Have you  
15 consumed any alcohol or illegal drugs in the  
16 last twenty-four hours?

17 A. No.

18 Q. Have you ever been arrested  
19 other than from this incident?

20 A. Yes. They arrested me early in  
21 the morning, the 18th.

22 Q. Other than that, okay, which  
23 you are talking about October 18, 2006?

24 A. Yes.

25 Q. Other than that, have you ever

1 A. GOMEZ 6

2 been arrested before that?

3 A. No.

4 Q. In preparation for your  
5 testimony here, today, did you review any  
6 documents, or videos, or anything?

7 A. No.

8 Q. Other than your attorney, have  
9 you spoken with anyone about your testimony  
10 today?

11 A. No, only I talking with -- I  
12 saw a psychologist, and I went -- I can't  
13 talk about that. The problem is I don't  
14 like to talk about that with nobody. It's  
15 very hard for me that I saw, the feeling  
16 that I saw everything that day.

17 MS. SHERVEN: Move to strike  
18 the nonresponsive portion.

19 Q. When you say you talked to a  
20 psychologist, did you talk about what  
21 happened, or what you were going to testify  
22 about today?

23 A. No, what happened. I went to  
24 the psychologist.

25 Q. Is it a psychiatrist or

1 A. GOMEZ 7

2 psychologist?

3 A. I'm not sure.

4 Q. What is the doctor's name?

5 A. I don't know the name, here,  
6 because I went one time, and I feel so bad.  
7 And he told me that I have to go back and he  
8 help me, but it's very hard for me talking  
9 about this situations, October 17, and I  
10 stop going there.

11 Q. So, you haven't been back other  
12 than that one time?

13 A. One time.

14 Q. Where was it that you went if  
15 you remember, the medical facility?

16 A. It's here in Lake Street in  
17 White Plains.

18 Q. Do you remember the name of the  
19 medical facility?

20 A. No.

21 Q. Was it a private doctor?

22 A. Yes. That's a building.

23 MS. SHERVEN: I'm going to  
24 request an authorization for those  
25 records.

1 A. GOMEZ 8

2 Q. When was it approximately that  
3 you saw that doctor?

4 A. Well, when everything happened  
5 in the 17th. I'm very nervous. I'm very  
6 scary about everything and as soon it pass  
7 5:00 o'clock in the afternoon, dark, I can't  
8 go out. I'm very nervous. I cry a lot. I  
9 lose in one week around ten or eleven pounds  
10 when everything happened.

11 MS. VOLPER: I'm going to stop  
12 you right there. Just listen to her  
13 question.

14 MS. SHERVEN: I'm going to move  
15 to strike as nonresponsive.

16 Q. When did you see this doctor is  
17 my question?

18 A. About one month.

19 Q. One month after October 17,  
20 2006?

21 A. Yes.

22 Q. So, sometime in approximately  
23 November of last year?

24 A. No. I saw I think I saw in  
25 this year, because my private doctor send



1 A. GOMEZ 9

2 me, but I can't go because I'm very nervous  
3 talking about what happened.

4 Q. When you say your private  
5 doctor, are you referring to Doctor  
6 Carniciu?

7 A. Yes.

8 MS. SHERVEN: I'm also going to  
9 call for an authorization for her  
10 medical records.

11 MS. VOLPER: Yes, okay.

12 Q. When was it that your doctor  
13 referred you?

14 A. I went there one month, I  
15 think.

16 Q. One month ago?

17 A. One month ago.

18 Q. So, maybe, February?

19 A. February, something like that,  
20 early February.

21 Q. Do you have plans to go back to  
22 the other psychiatrist?

23 A. No.

24 Q. Did the psychiatrist or  
25 psychologist prescribe any medications for

1 A. GOMEZ 10

2 you?

3 A. No, not at the time because it  
4 was only one day.

5 Q. What do you mean when you say  
6 another time?

7 A. No, I say not at the time,  
8 because he see me only one time.

9 Q. Not at the time?

10 A. Yes.

11 Q. Have you spoken with your  
12 medical doctor about going to see another  
13 psychiatrist or psychologist?

14 A. (No response.)

15 Q. Can you answer verbally,  
16 please.

17 A. No.

18 Q. Can you state your full name  
19 for the record, please?

20 A. My phone number.

21 Q. Full name.

22 A. Awilda Nigtala.

23 Q. Can you spell that?

24 A. N-I-G-T-A-L-A Gomez.

25 Q. And Nigtala is your middle

1 A. GOMEZ 11

2 name?

3 A. Nigtala is my middle name.

4 Q. What was your maiden name?

5 A. On 2-20-64. My middle name?

6 Q. Your maiden name.

7 A. Cadet C-A-D-E-T.

8 Q. C-E --

9 A. -- A-D-E-T, Cadet.

10 Q. You're married to Mario Gomez,  
11 correct?

12 A. Yes.

13 Q. How long have you been married,  
14 approximately?

15 A. Around, I'm living together  
16 around twenty-four, and I'm married  
17 twenty-three.

18 MS. VOLPER: I'm sorry. I just  
19 want to clarify that. You've been  
20 married for twenty-three years or you  
21 got married at twenty-three.

22 THE WITNESS: Twenty-three.

23 MS. VOLPER: You got married at  
24 twenty-three?

25 THE WITNESS: Yes, and my

1 A. GOMEZ 12

2 daughter is twenty --

3 MS. VOLPER: So, how many years  
4 have you been married for?

5 THE WITNESS: Let me see,  
6 because my daughter's twenty-two.  
7 I'm married twenty-one.

8 MS. VOLPER: You're married for  
9 twenty-one years.

10 THE WITNESS: Yes. But I've  
11 together for --

12 Q. You've been together for  
13 approximately twenty-four years?

14 A. Around twenty-three,  
15 twenty-four, yeah.

16 Q. And you have three daughters  
17 with Mario, Correct?

18 A. Three daughters.

19 Q. How long have you lived at your  
20 current address?

21 A. In this address?

22 Q. At the 1 River Plaza.

23 A. I'm living around eighteen.

24 Q. Eighteen years?

25 A. Yes.

1 A. GOMEZ 13

2 Q. How old are you?

3 A. Forty-three.

4 Q. When is your date of birth?

5 A. [REDACTED].

6 Q. What is your Social Security  
7 number?

8 A. [REDACTED].

9 Q. Are you a United States  
10 citizen?

11 A. Yes.

12 Q. When did you become a citizen?

13 A. In July 1999 I think, yes.

14 Q. How tall are you?

15 A. They say 5'4. I don't think  
16 so, all my papers.

17 Q. Approximately, how much do you  
18 currently weigh?

19 A. Now, a hundred and eight  
20 pounds.

21 Q. Approximately, how much did you  
22 weigh on October 17th of 2006?

23 A. A hundred sixteen, seventeen,  
24 that's my normal weight.

25 Q. So, you lost approximately

1 A. GOMEZ 14

2 eight pounds?

3 A. Yes.

4 Q. Was that a planned weight loss?

5 A. I lost in the first week, the  
6 17th, October 17th to when my husband in  
7 jail.

8 MS. VOLPER: Could we just  
9 clarify one thing. I'm not sure if  
10 you completely understood the  
11 question.

12 The attorney asked you had you  
13 planned to lose weight?

14 A. No. No. No. I lost that  
15 weight, what I lost, I lost in the week of  
16 the 17th when my husband in jail. I try to  
17 come back to my normal weight.

18 Q. Have you seen a doctor  
19 regarding the weight loss?

20 A. I see the doctor.

21 Q. But when you've seen the  
22 doctor, have you mentioned any concerns  
23 about losing weight?

24 A. About losing weight, but he say  
25 there, the reason that I lose weight, my

1 A. GOMEZ 15

2 life, you know, everything changes with me.

3 It's nothing that I'm sick or nothing like

4 that. It's everything around the problem.

5 Q. What is your highest level of  
6 education?

7 A. I need only eighteen credits  
8 for finishing my Bachelor.

9 Q. Where did you graduate from  
10 high school then?

11 A. In Dominican Republic.

12 Q. Where did you take the other  
13 credits that you've taken for college?

14 A. I take it here.

15 Q. In the United States?

16 A. Yes, Mercy College, Dobbs  
17 Ferry.

18 Q. What degree or what Bachelor  
19 were you trying to obtain?

20 A. In science, in education,  
21 Bachelor in Science Education.

22 Q. To become a teacher?

23 A. Yeah.

24 Q. When was the last time that you  
25 took courses in science education?

1 A. GOMEZ 16

2 A. A long time.

3 Q. Are you currently working?

4 A. No. I lose my job.

5 Q. When did you lose your job?

6 A. February 27, 2007.

7 Q. Are you currently looking for a  
8 new job?

9 A. I need a job bad. It's hard  
10 for me finding the job that I doing.

11 Q. Where were you working?

12 A. I working in Family Service of  
13 Westchester in Star Program.

14 Q. What was your job title?

15 A. I'm Family Advocate and  
16 Volunteer Coordinator.

17 Q. How long did you work for  
18 Family Services?

19 A. For Family Service around,  
20 well, my job changed to different  
21 organization. I'm working for nine years.

22 Q. Just so we're clear, you're  
23 looking for a similar type of position  
24 currently?

25 A. That's only what I like to do.



1 A. GOMEZ 17

2 Q. Have you had any interviews?

3 A. I went in two interviews, but  
4 they ask me the same question. You've been  
5 arrested. I had to say, yes, and they not  
6 call me. And I'm very sad about this,  
7 because I lose my job for this problem.

8 MS. SHERVEN: I move to strike  
9 as nonresponsive.

10 Q. What happened on February 27,  
11 2007, that you lost your job?

12 A. This not happened February  
13 27th. This coming that as soon as they see  
14 in the newspaper the article in December --  
15 hold on -- in November 1st and 2nd, they  
16 started problem with me coming.

17 Q. You're physically referring to  
18 the newspaper articles from November 1st and  
19 2nd of 2006 concerning your husband's  
20 arrest; is that correct?

21 A. And my arrest, yes.

22 MS. SHERVEN: If I didn't  
23 mention this, I'm going to call for  
24 the production of the two newspapers  
25 articles.

1 A. GOMEZ 18

2 Q. Have you, yourself, seen those  
3 newspaper articles?

4 A. They see.

5 Q. Have you seen the articles?

6 A. Oh, yes, I see. They show me.

7 Q. When you say "they", are you  
8 referring to someone at your job?

9 A. Yes.

10 Q. Remember just answer every  
11 question verbally. Was there a specific  
12 person at your job who showed you the  
13 articles?

14 A. The director and my supervisor.

15 Q. Who is the director?

16 A. Barbara Summer.

17 Q. And your supervisor?

18 A. Heather Barton, something like  
19 that.

20 Q. When did you become aware of  
21 these newspaper articles?

22 A. On December 2nd.

23 Q. You mean November 2nd?

24 A. November 2nd. They made a  
25 meeting with me and show me and told me

1 A. GOMEZ 19

2 about my position, and this is not good for  
3 the organization. And I tried to explain  
4 that I not do anything. I feeling I went in  
5 the wrong place in the wrong moment. That's  
6 what happened to me, because I'm not doing  
7 anything wrong.

8 Q. When you say they had a  
9 meeting, do you mean Miss Summers and Miss  
10 Barton and yourself?

11 A. And Jerry Goldberg.

12 Q. Who is Jerry Goldberg?

13 A. She's working with me too.

14 Q. A co-worker, or does she have a  
15 higher position?

16 A. Higher position. I working for  
17 all three.

18 Q. What happened at this meeting?

19 A. What happened at this meeting,  
20 everything change.

21 Q. How so?

22 A. They tried to because when they  
23 made the meeting, they told me everything.  
24 I say I don't want to loose my job for this  
25 reason, and I call -- I had to call my

1 A. GOMEZ 20

2 lawyer. When they listen about the lawyer,  
3 they no want something big coming. They  
4 stop a little, okay, the week.

5 But this problem affect me a  
6 lot emotional for the first two months I'm  
7 scared about everything. And sometime I'm  
8 explain my supervisor my situation, and they  
9 take a little things one day I come in late,  
10 oh, you have to sign this paper because you  
11 coming late. It never happened to me in  
12 nine years.

13 And the other reasons I'm  
14 coming here one day, and I told my  
15 supervisor she talking with somebody, and I  
16 take too long, and they don't know what I'm  
17 going. You know, they take a little reasons  
18 and put my sign two different papers. But  
19 you ask for the record everything coming,  
20 then November 2nd to February, you know.

21 In February, she called me  
22 early in the morning the 26th, and the  
23 school close because it's a snow day.  
24 Barbara Summer called me to my phone. In  
25 the afternoon she called me again with

1 A. GOMEZ 21

2 before that you're going to the main office  
3 because I need to talk to you.

4 When I was there, she not tell  
5 me really, this, oh, you have too many  
6 things, and this is a business. And I think  
7 sign you're looking for something different,  
8 and I'm out with the organization, you know.

9 I not signing anything at the time  
10 and she told me pick all your things off  
11 your desk and you're not working here for  
12 this organization.

13 MS. VOLPER: This was on  
14 February 27.

15 THE WITNESS: Yes.

16 Q. At that meeting on February 27,  
17 did she say anything about your husband's or  
18 your arrest from October 17, 2006?

19 A. She's a smart. She not say  
20 anything but I know that's the reason,  
21 because you see all my evaluation for years,  
22 I don't have any problems. You ask for  
23 record, I no have nothing in my records that  
24 I come in late, that I do this. Only it  
25 started from November to February.

1 A. GOMEZ 22

2 It's very clear for me  
3 everything is around they no want to see  
4 somebody that they have an arrest. I have  
5 to go to the court.

6 Q. Have you spoken with an  
7 attorney about any type of claim or action  
8 against your former employer?

9 A. No. I'm very sad about that.

10 Q. Before November, had you ever  
11 been written up for being late or any other  
12 type of problems?

13 A. No. I no have a problem with  
14 nobody. They looking for little things and  
15 excuse and put me out with the program.

16 Q. Have you filed any type of  
17 complaint with anyone regarding your  
18 employer?

19 A. No.

20 Q. Do you have plans to file any  
21 complaint about your employer?

22 A. Oh, yes, yes. I have to do  
23 something. That's not fair. I lose my job  
24 for this reason when I not do anything. And  
25 it's very funny the Detective do everything

1 A. GOMEZ 23

2 they want, and he have her job. Everybody  
3 continue her job.

4 MS. SHERVEN: Move to strike  
5 the portion that's nonresponsive.

6 Q. Have the police ever been to  
7 your home for any type of official  
8 investigation?

9 A. No.

10 Q. Have you ever called the police  
11 to report any domestic violence within your  
12 home?

13 A. No.

14 Q. Has your husband ever hit you?

15 A. Wait a minute. I'm here for  
16 the case or for my life? He not hit me.

17 MS. VOLPER: Hold on.

18 A. I'm very sad.

19 MS. VOLPER: Hold on. Would  
20 you like to take a break?

21 THE WITNESS: No. She ask me  
22 about my job, she's ask me about  
23 personal things.

24 MS. VOLPER: We're here to  
25 investigate what happened surrounding

1 A. GOMEZ 24

2 the assault. I would request that  
3 you stick to questions about the  
4 incident and about her job only that  
5 are relevant to this case.

6 MS. SHERVEN: With all due  
7 respect, these questions are  
8 relevant. If you direct her not to  
9 answer, the refusal to answer to the  
10 question could be deemed  
11 noncompliance with the 50-h, and not  
12 answering questions --

13 A. -- no, he not hit me. You want  
14 a listen about that. But it's perverted  
15 talking about this situation and my job,  
16 because I think that's the reason that I'm  
17 here.

18 Q. Have you ever been diagnosed  
19 suffering from any kind of psychiatric  
20 injury or illness?

21 A. What did you say?

22 Q. Have you ever been diagnosed by  
23 a doctor or a medical professional with any  
24 type of psychiatric problem?

25 A. No. I no have any problems.



1 A. GOMEZ 25

2 Q. What about your husband; do you  
3 know has he ever been diagnosed with any  
4 type of psychiatric problems?

5 A. You don't have a meeting with  
6 my husband?

7 Q. I'm asking you.

8 A. I prefer you ask my husband  
9 about my husband.

10 Q. Your attorney will instruct  
11 you?

12 MS. VOLPER: She's going to ask  
13 you basic background questions like  
14 we talked about, and just answer to  
15 the best of your ability.

16 THE WITNESS: Okay.

17 Q. Has your husband ever suffered  
18 from any type of psychiatric illness as far  
19 as you know?

20 A. Yes.

21 Q. What type of illness has your  
22 husband suffered from?

23 A. He went about a couple of years  
24 because he have a problem he seek, and  
25 everything when he seek he find out what he

1 A. GOMEZ 26

2 have, he very depressed. But he's not  
3 psychiatric problem that he do something  
4 wrong in my house or me or my kids.

5 MS. SHERVEN: Move to strike  
6 the portion that's nonresponsive.

7 Q. How long was he under the  
8 psychiatric care during that time period?

9 A. When he retired out of his job  
10 that's what happened.

11 Q. When was it that he retired, if  
12 you can approximate when that was?

13 A. 2000, 2001, I'm not sure. I no  
14 remember it.

15 Q. Was he diagnosed with  
16 depression?

17 A. I don't really know. I don't  
18 really know.

19 Q. But he was seeing a doctor?

20 A. Yes, but I don't really know.

21 Q. Was he hospitalize at anytime  
22 for depression or any other type of  
23 psychiatric illness ?

24 A. A long time ago, about four  
25 years. Not now, he's fine.

1 A. GOMEZ 27

2 Q. How long was he hospitalized?

3 A. I think a couple of days, one  
4 week, something like that.

5 Q. Did he receive any medication  
6 during that time period?

7 A. Yeah, but I don't know anything  
8 because he's fine.

9 MS. VOLPER: Just what you  
10 remember.

11 A. That's what I say, he's fine.  
12 He doing everything by his own, you know.  
13 He's not the type he need help that I have  
14 to give you something. He do everything by  
15 himself. That's why I don't have a lot of  
16 information.

17 Q. To your knowledge is he  
18 currently seeing a psychiatrist or any type  
19 of mental health provider; is he right now  
20 seeing any type of psychiatrist or any  
21 mental health proccessional?

22 A. He see one time a month.  
23 That's it.

24 Q. Was he seeing this doctor  
25 before October 17, 2006, or did he start

1 A. GOMEZ 28

2 seeing someone after that?

3 A. I don't understand what you're  
4 saying.

5 Q. You testified that your husband  
6 sees someone, a mental health provider once  
7 a month, right?

8 A. Yes, but he doesn't see -- but  
9 that I say is, he see the doctor, but it's  
10 not because he's crazy or something like  
11 that.

12 Q. Right.

13 MS. VOLPER: Do you understand  
14 the difference between a mental  
15 health professional, psychologist,  
16 and a primary care physician, a heart  
17 doctor.

18 THE WITNESS: Oh, he sees  
19 everything before the 17th. He had  
20 to go a lot of different doctors now.

21 MS. VOLPER: You testified that  
22 once a month he sees a mental health  
23 professional. Is that what you  
24 meant?

25 A. (Witness nods.)

1 A. GOMEZ 29

2 Q. That's a, yes?

3 A. Yes.

4 Q. She can't take down sounds, so  
5 you have to answer every question out loud,  
6 okay.

7 Was he seeing this mental  
8 health provider before October 17, 2006, or  
9 is this something that he started doing  
10 again after October 17?

11 A. I'm not really sure about that,  
12 because I'm working all day. I think, yes,  
13 but I'm not sure he continue or he stopped.  
14 I'm not sure.

15 Q. Has your husband ever been  
16 diagnosed as an alcoholic or as having a  
17 problem with alcohol?

18 A. No. He's been -- nobody. Let  
19 me say something about my husband.

20 MS. VOLPER: Hold on. You have  
21 to wait until she asks you a question  
22 and then you answer.

23 THE WITNESS: Okay.

24 Q. Do you know Detective Quinoy?

25 A. Oh, yes.

1 A. GOMEZ 30

2 Q. How long have you known  
3 Detective Quinoy?

4 A. At around fifteen, twenty  
5 years.

6 Q. And you knew him because you  
7 lived in the same building?

8 A. No. No. He's my friend. I  
9 know her wife, her parents, her wife's  
10 parents. I know very well all the family.

11 Q. Where did you meet Detective  
12 Quinoy and his family?

13 A. A long time ago.

14 Q. Was it when you were living in  
15 the same apartment building?

16 A. No. No. No. No.

17 Q. Or before that?

18 A. No, no, before, before.

19 Q. Did you meet him first or his  
20 wife?

21 A. Both. I know him first.

22 Q. Her?

23 A. I know Detective Quinoy first  
24 then her wife.

25 Q. How would you describe your

1 A. GOMEZ 31

2 relationship with Detective Quinoy and his  
3 wife?

4 A. Good.

5 Q. You spent time together  
6 socially?

7 A. Oh, yes. He went with husband  
8 birthday party. He went in my house a  
9 couple of times. I went in her house. I  
10 cook for everybody.

11 Q. You were friends?

12 A. Oh, yes, I went in her wife's  
13 sister's birthday, friends. Her son's  
14 party, the first year the Michael's party I  
15 went there.

16 Q. And your daughters spent time  
17 with him and his wife as well?

18 A. Yes. Yes.

19 Q. Did there come a point in time  
20 before October 17, 2006, that your  
21 relationship with Detective Quinoy and his  
22 wife changed?

23 A. I not say changed. They move.  
24 I not say you the same as soon as he taking  
25 her job, he change a little. Because I know

1 A. GOMEZ 32

2 Detective Quinoy when he driving taxi in  
3 Tarrytown, Marcotti Taxi.

4 I know Detective Quinoy when he  
5 was little, because I have a couple of years  
6 of difference. And I know her father, her  
7 mother when they have a business on Bizmal  
8 (ph) Avenue. I was there eating food. And  
9 I have a good relation, normal relation.  
10 When they move to the building, I have a  
11 very close relation.

12 As soon as he take the position  
13 about seven or eight years, before he  
14 working in the Coke-a-Cola, he started to  
15 change a little world. And I continued  
16 friends, but you know, they do what they  
17 have to do, and I do what I have to do.

18 And they started a lot of  
19 problem between Quinoy and her wife, because  
20 he cheated a lot, and they started a lot of  
21 problems. And I going a little separate for  
22 the problem that they have now because I  
23 have a problem with Quinoy, or Marina I no  
24 have a problem. They have a problem.

25 They separate for -- he moved



1 A. GOMEZ 33

2 to Washington Street in the building. I  
3 don't know how long maybe one year they  
4 separate. He come back to the building.  
5 And you know, when you have a personal  
6 problem like that, you be away with the  
7 friends. And they have a lot of problems  
8 because he cheated a lot with the teenagers.

9 Q. Approximately, how long ago was  
10 that that you believe that he cheated?

11 A. Oh, a long time because I'm  
12 living in the town for years, and the people  
13 made the comments. And before that, he  
14 married with Marina, he going out with my  
15 friend's Umar (ph) daughter -- the last name  
16 is Umar, and he going out with her daughter  
17 ready to marry, and he cheated her daughter  
18 for Marina, and she married with Marina.  
19 You know, this something coming for years.  
20 It's nothing new for me.

21 Q. You mentioned that he cheated  
22 with a teenager; is that correct?

23 A. Well, I feeling my daughter is  
24 no teenager. My daughter is now a woman.

25 Q. You're referring to Haydee,

1 A. GOMEZ 34

2 correct?

3 A. Yes.

4 Q. How old is Haydee?

5 A. Well, she's now twenty-two, but  
6 when this started, the flirting and  
7 la-la-la, she's very young. I say around  
8 seventeen, eighteen. Not now because this  
9 problem not coming to now.

10 Q. Okay. Just so we're clear, is  
11 it your testimony that your daughter Haydee  
12 and Detective Quinoy had been flirting since  
13 the time she had been seventeen or eighteen  
14 years old?

15 A. Yes.

16 Q. Did that every concern you?

17 A. Oh, yes. One day she wake up.  
18 I say seventeen, because he policeman not  
19 detective but at the time. He come to  
20 building around two o'clock in the morning,  
21 okay. And my daughter get out with the  
22 apartment, and I looking in the window, and  
23 I saw the car, because you know the police  
24 have the car with the number they usually  
25 driving. And I saw her car.

1 A. GOMEZ 35

2 When my daughter coming back  
3 around 3:30, 4:00 o'clock in the morning, I  
4 confront my daughter, and I say, what are  
5 you doing.

6 Oh, no, no. He coming to talk  
7 to me, something. I say you know he's  
8 married and the wife living here, and he  
9 have a lot of problem with Marena about this  
10 situation.

11 No. No. No. He's only my  
12 friend. He's only my friend. I say, you  
13 better stop, okay. So, at the time I not  
14 put a lot of attention because he's very  
15 young, because he know me. He know my  
16 family. I don't think so he do that, to me  
17 something like that.

18 Q. Did there come a point in time  
19 when you thought that there was something  
20 more than just friends between Detective  
21 Quinoy and Haydee?

22 A. Yes.

23 Q. When was that?

24 A. I don't know exactly when is  
25 that because she not tell me. She know that

1 A. GOMEZ 36

2 I not approve something like that, but I  
3 remember last -- let me see. Last year  
4 around one and a half -- let me think a  
5 second. Around last September.

6 Q. September 2006?

7 A. Yes. 2006 or 2005, I'm not  
8 sure. She went in my friend's house in the  
9 Philip Manor in the Tarrytown in Sleepy  
10 Hollow. She went there because she have  
11 friends, and she stayed for a couple of days  
12 in there. And I went to pick her up in the  
13 morning and bring to her job.

14 And she made a comment Quinoy  
15 was there and talking in the park. And I  
16 told my daughter, be careful because I don't  
17 want any problems. I know the family. Oh,  
18 no, no, no. He's my friend. He's my  
19 friend. And she laughing, well, he kiss me.  
20 He kiss me. He kiss you? And I'm very sad

21 I say, you know, I no want to  
22 listen anything about that, because I think  
23 it happened and that's it. And I said  
24 Haydee, I don't want to listen anything  
25 about that, that he kiss you or something

1 A. GOMEZ 37

2 happened between you and him.

3 And I bring Haydee to the job,  
4 and I'm not talking anything about that.  
5 I'm not putting emphasis on something  
6 becoming or something like that. I think at  
7 the time she told me at the time, I don't  
8 think something sure happened. I don't know  
9 because she not give me the information  
10 about that.

11 Q. But she told you that he kissed  
12 her?

13 A. Oh, yes. Oh, yes. They went  
14 to the park. They have a park in -- not the  
15 beach part, the other part. They play  
16 baseball, something like that. That's when  
17 this happened, because I have a very close  
18 with all my three daughter.

19 Q. So, she confided in you about  
20 this, about him kissing her.

21 A. Yes, she told me, because she  
22 told me everything but when she see I'm not  
23 happy. I not approve. She not talk too  
24 much about this situation.

25 Q. Do you remember if this was

1 A. GOMEZ 38

2 last September or more than a year ago?

3 A. Let me see, last September, no,  
4 last year, 2005. Because this December is  
5 2006, right?

6 MS. VOLPER: Yes.

7 A. 2005, this happened in 2005.

8 Q. After Haydee told you that she  
9 had -- that Detective Quinoy had kissed her,  
10 did you do anything or did you talk to her  
11 more or talk to him or talk to anyone about  
12 that?

13 A. I saw Haydee talking with him a  
14 lot of times in the parking lot, but I not,  
15 you know, the position that he have I think  
16 he respect more the friends.

17 He's married. My daughter's  
18 not married, and you need to understand when  
19 the kids are young, teenager. What's it  
20 like? Oh, look it, he talk to me, and he's  
21 a Detective. He's a policeman. And she  
22 told me that he very very -- he told me too  
23 the day that he arrest me, that they very  
24 good friends, and they do a lot of favors  
25 for Haydee, and they take a lot of tickets.

1 A. GOMEZ 39

2 MS. VOLPER: You mean traffic  
3 tickets?

4 THE WITNESS: Well, you have to  
5 ask him, because I don't know.  
6 That's what he told me. He take a  
7 lot of tickets to Haydee, and he's  
8 very friends with Haydee.

9 A. And I found in my house one day  
10 a set of keys. And I ask all my three  
11 daughters what keys is that. And Haydee  
12 told me, oh, this is Jose's keys.

13 I said what keys? And they  
14 have a business in North Broadway now in the  
15 Sleepy Hollow, and she have the keys because  
16 Jose ask Haydee too many time to help for  
17 something about the business, and he want to  
18 Haydee to work with him.

19 And I told Haydee when she told  
20 me, oh, Jose wanted I work with him. I say,  
21 listen, I think it's better for me that you  
22 looking on another job, because I don't want  
23 to feeling something happen between you and  
24 Jose.

25 Oh, no, no, no, no, no, ma, no, no,

1 A. GOMEZ 40

2 no. I help him a lot, and he tried to buy a  
3 computer. And he told me you use the  
4 computer. You want to take it home. I  
5 think the laptop or something like that.  
6 Everything so sweet, so nice. I say,  
7 Haydee, be careful and get out of the  
8 situation, and she have the keys.

9 When everything happened  
10 October 17, I'm come back to my house and  
11 I'm looking for the keys and I told Haydee,  
12 I keep it. And she say he called Jenny.  
13 Jenny is Haydee's best friend. He called  
14 Jenny, and he told Jenny, they asked me for  
15 the keys.

16 That the time my husband is in  
17 jail, okay. And when he arrest Mario, I  
18 have a conversation with Mario, and he told  
19 me, Jose Quinoy say that he have a couple of  
20 friends in the jails, and he had to be  
21 careful. He told Mario.

22 When I listen about that, I  
23 told Haydee what you want to do? And she  
24 say, ma, I don't want more problem because I  
25 keep the keys. I give it to Jenny, and



1 A. GOMEZ 41

2 Jenny give it to Jose, because I don't want  
3 a problem something happen with my daddy  
4 because I have the keys. And he think I  
5 have the keys is because I want to do  
6 something with him.

7 I say, well, everything coming  
8 out because you have the keys. And she give  
9 the keys to Jenny. And I asked Haydee, you  
10 give back the keys to Jose, and she say,  
11 yes, he coming with Zekus. That's another  
12 Detective, Chuck Zekus, something like that.  
13 He working with Jose. They coming together  
14 with Jenny, and they take the keys.

15 Q. At any point in time, did you  
16 tell your husband that you were worried  
17 about Detective Quinoy's relationship with  
18 your daughter?

19 A. No, never in my house I have  
20 this conversation about that, never.

21 Q. Why not?

22 A. Because I say, again, when I  
23 see Haydee talking with him, I think she's  
24 feeling, oh, he's a detective. He's my  
25 friend. So, I not feeling. Detective

1 A. GOMEZ 42

2 Quinoy's married, know the family, know  
3 Haydee when she's eleven, twelve years old.  
4 They do something like that with my kids. I  
5 think he have more values about that.

6 Q. Do you think that there is more  
7 than just friendship between your daughter  
8 and Detective Quinoy?

9 A. I don't know. I don't know. I  
10 can't say yes or no. I say they kissing.  
11 They have a very close relation. The people  
12 saw in the bar one day, I think Campbell,  
13 Barry Campbell, the policeman. He saw one  
14 time Haydee and Jose in the bar. He told my  
15 husband, and my husband made it a comments  
16 about that.

17 Q. When did --

18 A. -- when everything happened.

19 Q. When did Lieutenant Campbell  
20 tell your husband that he saw Haydee and  
21 Detective Quinoy in a bar?

22 A. I think that the day that they  
23 got arrest.

24 Q. Not before that?

25 A. No. No. No.

1 A. GOMEZ 43

2 Q. Before October 17, 2006, did  
3 you hear any rumors from people around the  
4 town or friends that there was something  
5 more than friendship between them?

6 A. Well, you know, in my country's  
7 say you're the last person to know  
8 everything that happened in your house.  
9 Nobody come to say your daughter going out  
10 with policeman or detective and married.  
11 Nobody say anything to me. I'm not  
12 listening anything about that.

13 Q. At anytime did your husband say  
14 anything to you before October 17 that he  
15 had heard rumors that there was something  
16 more than friends between them?

17 A. No. It happened -- this  
18 happened Tuesday. Weekend before somebody  
19 call my husband and made a comment about  
20 Jose Quinoy's talking about my daughter in  
21 the locker room in the Police Department,  
22 that he going out without with Haydee, and  
23 Haydee pay for him. And why not I have to  
24 did out.

25 He told me, and he say I can't

1 A. GOMEZ 44

2 believe this. I said, well, what I have to  
3 do. She's twenty-two in this moment. He  
4 not say anything. He say I know, I know, I  
5 know.

6 And he received another phone  
7 call Friday before the 17th. Don't ask me  
8 who called, because I don't know. He  
9 talking in English that's only what I know.  
10 He talking in English. When he finished, he  
11 told me do you see this? I say what  
12 happened, Mario. Somebody called me again  
13 and told me Jose Quinoy made comments about  
14 Haydee. Haydee going out with him, and she  
15 pay.

16 And he not take any attitude or  
17 nothing. He made a comments. He say what I  
18 have to say. I said, well, Mario, talk with  
19 Haydee or something like that, but he never  
20 told me talk with Jose Quinoy or nothing  
21 like that. Nothing happened. This happened  
22 Friday. He home Saturday, Sunday, Monday,  
23 and nothing happened before he called Mario  
24 to my house -- not my house, to Mario's cell  
25 phone.

1 A. GOMEZ 45

2 Q. This first phone call that you  
3 mentioned where someone called your husband,  
4 do you know who that was?

5 A. No, because he have friends,  
6 and I'm the type of a person that I'm not  
7 putting a little attention on little things.  
8 He have a her friend. He made the comments.  
9 I'm not the type of the person nosey. I  
10 want to know everything.

11 He told me Haydee's twenty-two,  
12 and that's it. He made a little comments  
13 about what happened. Everything is over.

14 Q. But he said something to  
15 Haydee; is that what you're referring to --

16 A. Yeah. He say I can't believe  
17 that this happened, and Haydee pay. And I  
18 say I don't think so. So, little comments  
19 between the husband and wife.

20 Q. Did you hear him on the  
21 telephone that first time when someone  
22 called him?

23 A. The first time, no. The second  
24 time, yes, I was home.

25 Q. That's when you noticed it was

1 A. GOMEZ 46

2 a conversation in English?

3 A. Yes. He's in the room and  
4 talking in English, and I went in the living  
5 room. At least, I know he's talk with  
6 somebody, but I don't know who's on the  
7 phone.

8 Q. Did you ever find out who that  
9 person was.

10 A. No. No.

11 Q. Did you ever find out if it was  
12 the same person that called both times?

13 A. I don't know. I don't know.

14 Q. Do you know did your husband  
15 ever speak to Haydee about these phone calls  
16 that he received?

17 A. He talking with Haydee  
18 normally, and that's it. He told Haydee he  
19 not approve something like that. And he  
20 say, no, he's my friend. He gave me a lot  
21 of favors. He take tickets for me. No, no,  
22 no, and that's it. She going out, and  
23 that's it.

24 MS. VOLPER: Can I just stop  
25 for second.

1 A. GOMEZ 47

2 Q. You testified just a minute ago  
3 I believe that Detective Quinoy called your  
4 husband; is that correct?

5 A. Yes.

6 Q. When was that that he called?

7 A. The 17th.

8 Q. Excuse me. Do you know why  
9 Detective Quinoy called your husband?

10 A. He called because he wanted  
11 talking about -- I think when Mario talking  
12 with Haydee about it, he listened. They  
13 going out, you know.

14 Mario told Haydee he no want a  
15 problem not with Quinoy, because I never  
16 think I have a problem with Quinoy. My  
17 husband tried to put Haydee out of the  
18 situation because he say, and I told Haydee,  
19 I don't want a problem with Marina because I  
20 know her wife's fight with another girl for  
21 the reason she's going out with her husband  
22 in the Y.M.C.A. in Tarrytown. They fight,  
23 okay.

24 And she have a lot of different  
25 problems with women in the town when she

1 A. GOMEZ 48

2 find out somebody going out with Quinoy,  
3 Marena come and having a discussion and  
4 fight. She fight with two, one or two times  
5 she fight.

6 And I told Haydee, I don't want  
7 it, and my husband no want it, because he's  
8 very bold in the community, things in the  
9 school. My two daughters -- my young  
10 daughter in the school, and he no want the  
11 people talking about my family, never  
12 anything about any situation about that.

13 That I know he tried to tell Haydee  
14 the reason that he no want any problems. He  
15 no want problems, you know, people talking.  
16 And she say, no, no, no, daddy. No, no.  
17 He's my friend. He's my friend.

18 He have more communication with  
19 me. That's what I know that he kissed  
20 Haydee, and he try a couple of times because  
21 she told me. Oh, no, he tried to go bed  
22 with me, but I don't know they going or not  
23 going. She told me he tried to go bed with  
24 me a couple of times.

25 Q. And by that you're referring to



1 A. GOMEZ 49

2 he tried to have sex with her?

3 A. Yes, that's what she told me.

4 Q. When did she tell you that?

5 A. She told me about when

6 everything coming, you know, before the

7 17th. I have a conversation. She said, oh,

8 he tried to be sex with me, but I no have

9 nothing with him. He's only my friend.

10 Okay, that's what you tell me.

11 Q. Did you at any point in time

12 tell your husband that Haydee told you --

13 A. -- oh, no, no.

14 Q. -- Detective Quinoy tried to

15 kiss her --

16 A. No. No.

17 Q. -- or tried to have sex with

18 her?

19 A. No. No. This is between me

20 and Haydee, and that's it.

21 Q. As we speak now, do you know

22 whether your husband knows this information?

23 A. Before all this happened, I

24 told my husband.

25 Q. Before all what happened?

1 A. GOMEZ 50

2 A. Before the 17th, when he come  
3 back with the jail I told my husband.

4 Q. What did you tell your husband?

5 A. I told him and Haydee told him,  
6 because she surprised that he hit her father  
7 like he did it, and he made a big problem  
8 with Mario. Quinoy made this problem with  
9 Mario when nothing happened. That's what  
10 Haydee tried to told her daddy, and she told  
11 her daddy he tried to be sex with me, and  
12 maybe he did it to you this because I never  
13 go bed with him.

14 Q. When did you tell Mario this  
15 information; was this before or after he was  
16 arrested?

17 A. When he come back with the  
18 jail.

19 Q. So, after he was arrested,  
20 after he was released from jail?

21 A. Yes.

22 Q. As far as you know at that time  
23 Haydee also told him the same things?

24 A. Yeah. He told him, and I told  
25 him about last month, about two or three

1 A. GOMEZ 51

2 weeks I have a conversation about that.

3 Mario he don't know anything about that.

4 Q. Mario doesn't know what?

5 A. That he kiss Haydee, or he  
6 tried to be sex with Haydee, about two or  
7 three weeks, one week or two weeks Mario  
8 find this situation.

9 Q. After he was arrested and  
10 released --

11 A. Yes.

12 Q. -- that's when he found out?

13 A. About two or three weeks, not  
14 too longer.

15 Q. But as far as you know, he did  
16 not know any of that information on October  
17 17?

18 A. Oh, no, no, he no have any  
19 information about that. And he told me one  
20 day he going out in the bar, the police  
21 going, because he's retired the Correction  
22 Department, he know a lot of the policemen.  
23 And he come one day in my house, oh, you  
24 know who I saw? I saw Jose Quinoy. He pay  
25 a bill for me. They have a good relation.

1 A. GOMEZ 52

2 It's surprise for everybody this happened.

3 Q. Do you know what your  
4 daughter's current relationship is with  
5 Detective Quinoy? Are they communicating in  
6 any way; if you know?

7 A. Now, I don't know. I can't say  
8 anything about that.

9 Q. She hasn't confided in you  
10 about any communications, about seeing him?

11 A. No. No. No. No. She not talking  
12 this point. I'm not talking this point.  
13 Nobody talking in my house about this.

14 Q. Have you seen Detective Quinoy  
15 since you were arrested?

16 A. Yes, one time.

17 Q. When was that?

18 A. Maybe, November, I'm not sure.  
19 I went here in White Plains Road, in Empire,  
20 that's for the rent car. It's Route 119. I  
21 don't know the name. It's an "E". The  
22 symbol is "E". I went there with my friend.  
23 She was there for rent the car, and I went  
24 because she went for the car.

25 And he coming with Detective

1 A. GOMEZ 53

2 Zekus.

3 Q. Zekus?

4 A. Yes. I park my car in the  
5 back, and Detective Quinoy's in the front  
6 with the door. When I saw him, I told my  
7 friend, oh, my God, look who is here,  
8 because very close the incident. Look at  
9 who's here. Look who's here.

10 And he coming back, he tried to  
11 intimidate me. I'm very nervous. And I  
12 told my friends, don't get out. Don't get  
13 out. Don't get out.

14 In the middle the street, I put  
15 my friend out with the car, because I leave.  
16 I say, I have to leave. I have to leave. I  
17 am very nervous. Looking what he look at  
18 me. Look at what he look at me, because I  
19 am so nervous. Because he look in the car,  
20 and I don't want any problem again.

21 Q. Did you speak to him at all  
22 that day?

23 A. No. No.

24 Q. Other than that time in  
25 November, have you seen Detective Quinoy

1 A. GOMEZ 54

2 since then or had any conversations with  
3 him?

4 A. No. I don't have any  
5 conversation. I saw about two or three week  
6 when I went in the court. He outside in the  
7 sidewalk.

8 Q. But you didn't speak to him?

9 A. No. No. I don't want to  
10 anyway.

11 Q. Now, you said that on October  
12 17 Detective Quinoy called Mario on his cell  
13 phone?

14 A. In the cell phone.

15 Q. Had you spoken with Detective  
16 Quinoy at all that day before he called  
17 Mario?

18 A. I called when he arrest me. I  
19 talk with him.

20 Q. No, before.

21 A. No. No.

22 Q. You did not speak to Detective  
23 Quinoy before he called your husband?

24 A. No. No. No. I don't have.

25 Q. Do you know why Detective

1 A. GOMEZ 55

2 Quinoy called your husband?

3 A. He called because Haydee told  
4 him what happened that what Mario say.  
5 Because Mario not talking with Quinoy, Mario  
6 talking with Haydee.

7 So, Mario called me and told me  
8 this, and I wanted this coming to stop.  
9 That's the conversation he had with Haydee.

10 Q. When was that conversation with  
11 Haydee; that was a few days before?

12 A. Few days before, normal  
13 conversation. He not mad. He not nothing.  
14 He only told Haydee I want this coming to  
15 stop, what happened.

16 And she say, no, no, no. I  
17 went in the bar with him, but I not paying  
18 for him.

19 And Mario say, well, I want  
20 this stop, because I don't want the people  
21 talking in the town. This is a small town.  
22 You are beautiful girls. Why you have to  
23 bother with this situation. Marina find  
24 something that you're going out with Jose,  
25 she want to come to you, hit her wife.

1 A. GOMEZ 56

2 She say, no, no, no. He's my  
3 friend. He's my friend. Everything  
4 finished.

5 Jose Quinoy called my daughter  
6 -- no. I went in my friend's house, Yolanda  
7 in third floor in the building that night.  
8 Haydee call me. Ma, I talking with Jose,  
9 and he wants my daddy's cell phone. And I  
10 say for what? Because he want to talking  
11 with dad. When she told me like that, he's  
12 my friend, right? He's Mario's friend? I  
13 say, well, okay. He want to talk with Mario  
14 I think he's a normal man not an animal Jose  
15 Quinoy.

16 I say, okay. It's okay that I  
17 give my dad's cell phone, because he want to  
18 talk with my dad. I say okay, okay because  
19 I know Mario. Mario stopped with the man  
20 that you're talking and you convince him  
21 like this. You tell whatever, oh, Mario,  
22 nothing happened. He believe it's true. I  
23 say, okay, give the cell phone.

24 Bridget, my another daughter  
25 the little one, stay with Mario and watch



1 A. GOMEZ 57

2 the game, the Mets game. They sit together  
3 and watch the game. Jose Quinoy call Mario.  
4 Mario not take the phone. He leave the  
5 message. Mario call me, Awilda. I say,  
6 yes. You know what? What. Jose Quinoy  
7 called me, and he want to talk to me, but I  
8 want to see my game. I say, well, Mario,  
9 but he call you again, take the phone and  
10 that's it. Because I think, I repeat he's a  
11 normal man. I don't think Jose do something  
12 like that with Mario, but he did it.

13 And he called again, and Mario  
14 take the phone. Bridget tell me. And they  
15 started conversation. And my daughter  
16 called me. Then my daughter cell phone,  
17 cell phone to my cell phone. Ma'am, Jose  
18 Quinoy talking with daddy. And he talk with  
19 daddy, I don't know what he's saying to my  
20 dad, and he told my dad go to see in the  
21 Police Department.

22 And at that time my husband was  
23 in pajamas, and daddy started to dress. I  
24 say what happened. I don't know. I don't  
25 know. Jose Quinoy say something in the

1 A. GOMEZ 58

2 phone because I listen. She don't  
3 understand, because out of the phone, but  
4 she listen. Jose Quinoy talking too many  
5 things to my daddy on the phone, and so my  
6 daddy go to see because my daddy say, oh,  
7 you want to see. Okay, I go to see you, you  
8 know.

9 I say okay, okay, okay, okay.  
10 Where is daddy. He going down. I going  
11 down, too, and I follow Mario to the police  
12 station.

13 MS. SHERVEN: I am going to  
14 stop you there. Move to strike the  
15 portions that are nonresponsive.

16 Q. Did you at anytime after  
17 Bridget called you go up to your apartment?

18 A. I tried to go, but she say  
19 she's going out, you know, and I going out.

20 Q. So, after you talked to  
21 Bridget, you went down to your car?

22 A. My car, because I want to see.  
23 I seen they have a conversation, because  
24 he's my friend. I don't have any personal  
25 thing.

1 A. GOMEZ 59

2 MS. VOLPER: You answered her  
3 question.

4 Q. Okay. When you went down to  
5 your car, did you see your husband?

6 A. Not really, but I know that he  
7 going to the Police Department, and I go  
8 there. And I see him between a 100 Hunter  
9 College Avenue, and what's the name of the  
10 street. I forgot now. And in the front of  
11 100 Hunters College to the firehouse, I saw  
12 Mario car, and I follow him.

13 Q. Okay, but you saw his car not  
14 specifically him?

15 A. I know he's in there.

16 Q. But I mean were you able to see  
17 his facial expression?

18 A. Oh, no, he looked fine, because  
19 I give a flash light, and he's fine. He not  
20 made something, he see me from the -- I saw  
21 him from the mirror, and he go there. And I  
22 follow him. I not see him having any  
23 expression, mad, or something like that. He  
24 normally.

25 Q. Why did you follow him?

1 A. GOMEZ 60

2 A. I follow him because I want to  
3 be in the conversation. It's about my  
4 daughter.

5 Q. How long was the drive to the  
6 police station, approximately.

7 A. Five minutes.

8 Q. Approximately, how far were you  
9 behind Mario?

10 A. Very close behind.

11 Q. Did you see him park his car?

12 A. Oh, yes. I saw everything that  
13 night.

14 Q. Where did he park his car?

15 A. He parked the car in the front  
16 in the building next to the Police  
17 Department. He parked it in the second or  
18 third parking, he parked there, very good.  
19 I'm in the middle of the street because I'm  
20 looking to parking.

21 Q. Did you see your husband exit  
22 his car?

23 A. Yes.

24 Q. Do you know if he shut his car  
25 off?

1 A. GOMEZ 61

2 A. No -- yes, I think, yes.

3 Q. When he exited the car, did he  
4 close the car door?

5 A. Yes.

6 Q. What happened after he closed  
7 the car door?

8 A. Okay. I'm in the middle of the  
9 street and looking for parking. When he  
10 parked the car here in the right side, I saw  
11 Jose Quinoy and Michael Gasker in the middle  
12 of the street, okay.

13 I'm stop in the front. I have  
14 my light and everything of my car. I say my  
15 car is started. I have the light and  
16 everything. I saw Jose Quinoy and Michael  
17 Gasker here. Jose Quinoy coming in a  
18 scream, Police.

19 At the time, I open my door,  
20 and I get out of my car. My car is in the  
21 middle of the street. And he coming and  
22 scream to Mario, put your hands up, and  
23 Mario do like this.

24 Q. I'm going to stop you right  
25 there, because you're indicating, and we

1 A. GOMEZ 62

2 need to put on the record. Just so the  
3 record is clear, you said that Mario went  
4 like this and you're moving.

5 A. Mario move. Jose Quinoy in the  
6 middle of the street and coming to catch  
7 Mario with Michael Gasker. And he said,  
8 Stop. Don't move. Police.

9 He coming with the handcuff in  
10 the left, in the left hand, and he tried to  
11 come with Mario. Mario move around to front  
12 to the car, and he put the hand up. At the  
13 same time, Mario move back and say, what  
14 happened? I think you call me for talk.

15 This is arrest, and Jose Quinoy  
16 jumped to Mario. He give the first punch.  
17 I no say punch. He do like this.

18 MS. VOLPER: Wait until she  
19 asks you a question.

20 A. I think I really see.

21 Q. I'm going to try and ask you  
22 more detail questions to understand every  
23 step.

24 When Mario exited his car, did  
25 he walk or move at all towards Detective

1 A. GOMEZ 63

2 Quinoy?

3 A. He no have the time. He stayed  
4 next to her car, and he say, don't move.  
5 Mario move -- don't move. Mario move the  
6 body to her car, front of her car.

7 Q. And he put his hands up?

8 A. And the put up the hands. And  
9 he move back again and with the hands up,  
10 and he said, wait a minute, I think you call  
11 me and you told me to come here to see you  
12 for talk.

13 And Jose Quinoy coming and  
14 tried to hit him, and he move down. And at  
15 the moment, I'm scream, what happened. What  
16 happened. And I lose -- but I saw when he  
17 tried to hit Mario first.

18 Q. You testified that Detective  
19 Quinoy was screaming; is that correct?

20 A. Yes.

21 Q. And he's screaming, put your  
22 hands up, police?

23 A. Yes. This is arrest.

24 Q. Was he saying this in English  
25 or Spanish?

1 A. GOMEZ 64

2 A. English.

3 Q. And do they normally speak in  
4 English or Spanish to each other?

5 A. No. They speak normally the  
6 Cuban people speak both, English and the  
7 Spanish. They started in English and they  
8 continuing in Spanish. They come back to  
9 English and back to Spanish.

10 Q. Back and forth?

11 A. Yeah, back and forth. That's  
12 what happened that night. But when they  
13 say, it's police. He's started in English.

14 Q. What tone of voice was he  
15 using?

16 A. When you arrest the people to  
17 do something wrong, very stronger.

18 Q. Can you describe the manner in  
19 which Detective Quinoy went up to your  
20 husband? Was he running? Was he walking?  
21 Was he doing something else?

22 A. Go fast. He's not running.  
23 He's not walking. When you go fast and you  
24 try to catch the person, and he come close  
25 with Mario with the handcuffs, he tried to



1 A. GOMEZ 65

2 hit Mario. And Mario got down, and that's  
3 when they holding together.

4 Q. When Mario parked his car, how  
5 close was Detective Quinoy and Officer  
6 Gasker to him?

7 A. I say around not too close,  
8 five or six -- more twelve feet. He's in  
9 the middle of the street. Quinoy and  
10 Gasker, and Mario is close to the car in the  
11 sidewalk. A couple of feet, I don't know  
12 really.

13 Q. Did Officer Gasker say anything  
14 during that time period?

15 A. No.

16 Q. What was his demeanor?

17 A. Well, that I saw, they hold all  
18 three together, and I'm going to scream a  
19 lot. I go inside.

20 Q. But before this, when Mario  
21 pulled up, did Officer Gasker do anything or  
22 say anything?

23 A. He not say anything.

24 Q. He's just standing there?

25 A. No, both go to hold Mario.

1 A. GOMEZ 66

2 Q. So, when Detective Quinoy was  
3 walking quickly towards Mario, you saw  
4 Officer Gasker do the some thing?

5 A. Yes, behind.

6 Q. Behind?

7 A. Yes, behind.

8 Q. Did Officer Gasker have  
9 anything in his hands?

10 A. I don't know. At the moment I  
11 don't know, because when I see -- they  
12 jumped to Mario together, I'm very nervous.

13 Q. You testified that you saw  
14 Detective Quinoy, that he had handcuffs in  
15 his hands, correct?

16 A. Yes.

17 Q. In his left hand?

18 A. Yes.

19 Q. Can you describe for me what  
20 you mean when you say that Detective Quinoy  
21 took the first swing? What did he do?

22 A. When he close to Mario, he  
23 tried to hit Mario.

24 Q. Did he actually come into  
25 physical contact with Mario at that point?

1 A. GOMEZ 67

2 A. He come that I coming with you,  
3 and tried to hit you. That's what he doing.

4 Q. From what you're saying at that  
5 time Detective Quinoy did not hit him?

6 A. No. He went and through the  
7 hand, and Mario got down, and that's when  
8 Gasker jump and Quinoy, and all three  
9 together. Because I remember Mario hold  
10 Jose, when you hold in the body, tried to  
11 protect, because two people coming with  
12 Mario. Gasker and Jose Quinoy at the same  
13 time.

14 Q. Is it your testimony that  
15 Officer Gasker, though, is the one who first  
16 grabbed Mario?

17 A. No. Gasker behind Jose.

18 Q. So, Detective Quinoy grabbed  
19 Mario first?

20 A. Yes. Yes. Yes.

21 Q. Where on his body did Detective  
22 Quinoy grab him?

23 A. Well, I saw together. Don't  
24 ask me, because at the time I'm cry. I  
25 started cry.

1 A. GOMEZ 68

2 Q. What happened next?

3 A. I cried, and I said, what  
4 happened. What happened. And I going  
5 inside the Police Department.

6 Q. Okay, just so we're clear, at  
7 the time that you saw them --

8 A. They together.

9 Q. -- hit Mario and the two  
10 officers together physically, you went  
11 inside the precinct?

12 A. Yes.

13 Q. Why did you go inside?

14 A. I go inside for help, and I'm  
15 screaming. I be there, the Lieutenant  
16 Hayes, Gabrielle or something Hayes.

17 Q. Hayes?

18 A. He was there.

19 Q. Did you speak with Lieutenant  
20 Hayes?

21 A. He not talk to me. He ignoring  
22 me. I come. I can't believe that. I went  
23 inside, and I say, I need help. I need  
24 help. Two police Jose and another policeman  
25 fight with my husband. I need help. I need

1 A. GOMEZ 69

2 help. He only look at me and not say one  
3 word.

4 Q. Who?

5 A. Lieutenant Hayes.

6 Q. What happened then?

7 A. When I going out, I saw Ebel  
8 out too, okay. Because he not say anything  
9 I'm running very fast and I'm screaming like  
10 a crazy, help, help, help.

11 Q. Who were you calling help to?

12 A. I don't know. When you see  
13 something like that, you see in the TV, it's  
14 very easy. You see in the TV, when you see  
15 your husband not doing anything wrong, and  
16 three people -- because at the time when I  
17 get out Ebel, another officer is staying  
18 with Mario, too, and they put the handcuff

19 And Mario tried to say, I'm  
20 retired correction officer, the New York  
21 City, and Ebel say, fuck you, correction  
22 office. This is the Sleepy Hollow  
23 policeman.

24 MS. SHERVEN: Move to strike  
25 the portions that were nonresponsive.

1 A. GOMEZ 70

2 Q. How long were you inside the  
3 precinct, approximately?

4 A. Seconds, because when I see  
5 nobody seeing me, nobody -- everybody  
6 ignoring me I'm running down. I'm  
7 screaming. I look at what happened.

8 Q. What did you see when you  
9 exited the police station?

10 A. When I go out?

11 Q. When you went out, yes.

12 A. When I get out at the time that  
13 I get out, I stay here and all three  
14 policemen there, and Mario in the floor.  
15 They tried to -- I'm retired policeman the  
16 New York City because Jose Quinoy know  
17 Mario. I don't know Mario know the Ebel and  
18 Michael Gasker. I don't know. And he tried  
19 to say, I'm retired correction office.  
20 That's enough. That's enough. That's  
21 enough, because they gave the electricity.

22 Q. Did you know Officer Ebel,  
23 like, who he was by name at that time?

24 A. No. I don't know him. That's  
25 what I write here, because I don't know

1 A. GOMEZ 71

2 nobody in the Police Department. I don't  
3 have any communication with nobody there.

4 Q. What exactly do you have with  
5 you?

6 A. Oh, the names of the people  
7 involved in the case, because my English is  
8 not really good, and I want to say the  
9 correct name.

10 Q. Is it something that you  
11 prepared?

12 A. Not prepared, I put the name.

13 Q. Well, you wrote these things,  
14 these names down?

15 A. Yes, because I know what  
16 happened in the incident, but sometimes my  
17 English I forget really the name. That's  
18 what I write here but it's nothing.

19 Q. When did you make this list of  
20 names?

21 A. Oh, today, today, when they  
22 tell me I had to be here, because I want to  
23 do correct. I do at my house on my own.

24 Q. Did you look at something in  
25 order to write down all the names?

1 A. GOMEZ 72

2 A. No. I not look at nothing. I  
3 no have nothing to look.

4 MS. SHERVEN: I'm just going to  
5 ask for a copy of the index card.

6 Q. If I could see it, too. You  
7 show it to your attorney first?

8 A. Oh, yeah. Oh, yeah.

9 MS. VOLPER: She wrote down  
10 what she thought are the names.

11 A. Yes, my daughter helped me.

12 Q. Okay, thanks. Was that Haydee  
13 that helped you or another daughter?

14 A. And Bridget, not Haydee, yes.

15 Q. Now, the information that's  
16 written on the back, does that have anything  
17 to do with?

18 A. Oh, no. This is for the  
19 Service for my job, Family Service Children  
20 Service.

21 Q. That was your former job?

22 A. Yeah. That's normally things  
23 that I use on my job, and I put the date  
24 today because I want to say the good -- I  
25 don't want to confuse you. I don't want to



1 A. GOMEZ 73

2 confuse me.

3 Q. I'm just going to ask for a  
4 copy of both sides of the document?

5 A. Oh, yeah.

6 Q. Did you know Officer Gasker  
7 before this?

8 A. No.

9 Q. When you came out of the police  
10 station, you testified that Mario was on the  
11 ground; is that correct?

12 A. No. They all three policemen  
13 together with Mario.

14 Q. On the ground?

15 A. No. Together.

16 Q. Standing?

17 A. Yes. And Jose say something, I  
18 don't know in English, and the two policemen  
19 Gasker and Ebel started giving electricity  
20 to Mario.

21 When I saw that because they  
22 made it terrible noises. I saw, and Mario  
23 say that's enough. That's enough. That's  
24 enough. And he put the hands, that's  
25 enough. That's enough. They put on the

1 A. GOMEZ 74

2 ground.

3 Q. Did you see which officers used  
4 the electricity that you described?

5 A. Yes.

6 Q. Which officers?

7 A. Michael and Ebel.

8 Q. Not Detective Quinoy?

9 A. No.

10 Q. But you believe that he said  
11 something to them?

12 A. No. He give the order.

13 Q. Did you hear what the order  
14 was?

15 A. I don't know the name what they  
16 call, but he say at the same time they  
17 started the electricity with Mario.

18 Q. Where on Mario's body did you  
19 see Officer --

20 MS. VOLPER: Do you need to  
21 take a break? Are you okay? Do you  
22 want to go to the ladies room?

23 THE WITNESS: This happen to me  
24 all the time. That's why I not  
25 talking about that.

1 A. GOMEZ 75

2 MS. VOLPER: Are you sure you  
3 don't want to take a break? Take a  
4 break.

5 A. No. No. No. They give  
6 electricity in Mario's back. They put the  
7 handcuffs and they continued. They  
8 continued, and Ebel he put the neck in Mario  
9 -- the knee in Mario.

10 MS. VOLPER: Do you want to  
11 take a break? I know you're upset,  
12 and it's hard to understand.

13 THE WITNESS: I never saw  
14 something like that.

15 MS. VOLPER: Okay, let's stop.  
16 Let's stop the record.

17 (Whereupon, a recess was  
18 taken.)

19 A. Okay, when they give the  
20 electricity to Mario, Mario down in the  
21 ground. They put the handcuff. He's down.  
22 Ebel and Jose Quinoy continue to hit him.  
23 Jose Quinoy kick Mario in this part with the  
24 head, in the top of the head. And Ebel hit  
25 Mario all the place. Gasker is stand up and

1 A. GOMEZ 76

2 looking.

3 And I told -- Jose Quinoy --  
4 Gasker had the knee in Mario's neck like  
5 this. Pushed down Mario. I don't know why  
6 when he have the handcuff, he do it.

7 Q. Who did that?

8 A. Ebel. And Jose Quinoy continue  
9 to kick Mario in his head in the top of the  
10 head, here. And I told Jose Quinoy, Jose,  
11 Jose, stop. Stop. Why you do that.

12 He hold me for my jacket, and  
13 he threw me out in my car. Very abuse.  
14 When Mario saw that, he tried to up on two  
15 hands. I have a surgery because I have a  
16 cancer in September. He know because my  
17 daughter told him. I have a surgery they  
18 put everything out.

19 MS. VOLPER: A hysterectomy?

20 THE WITNESS: Yes.

21 A. And Mario screamed, what you do  
22 that.

23 Q. We're going to try to simplify  
24 things, and I'm going to try and break this  
25 down.

1 A. GOMEZ 77

2 When you came out of the police  
3 station, Mario and the three police officers  
4 were still standing, correct? Is that, yes?

5 A. Yes.

6 Q. At that time you heard  
7 Detective Quinoy say something?

8 A. Yes.

9 Q. And then the officers used the  
10 electricity; is that right?

11 A. Yes. As soon as they started  
12 the electricity he down.

13 Q. Where did you see, at that time  
14 where did you see Officer Ebel use the  
15 electricity on Mario?

16 A. In her back, in her back, all  
17 the back he have a lot of marks, and Gasker  
18 do it, too, at the same time.

19 Q. I'm asking, though, at that  
20 time, what you specifically saw, okay. Not  
21 based on any marks or anything else?

22 A. In her back. He did it in her  
23 back.

24 Q. How many times?

25 A. A lot of times.

1 A. GOMEZ 78

2 Q. Listen to my question first,  
3 okay. How many times did Officer Ebel use  
4 the electricity on his back before he fell  
5 to the ground?

6 A. He do it continuing, ring,  
7 ring, ring. That's when I scream. I go  
8 back to the department, inside the Police  
9 Department and I asked for more help.

10 Q. Before you went back into the  
11 police station, did you see Officer Gasker  
12 use the electricity?

13 A. Both at the same time.

14 Q. And you said that Officer Ebel  
15 was using the electricity on Mario's back,  
16 right?

17 A. Both in her back.

18 Q. So, his back. So, Officer  
19 Gasker was also using it on his back?

20 A. Yes.

21 Q. When they used the electricity,  
22 did Mario then immediately fall to the  
23 ground?

24 A. Mario screamed.

25 Q. Did Mario immediately fall to

1 A. GOMEZ 79

2 the ground?

3 A. Yes. He said that's enough.  
4 That's enough. He's screamed, that's  
5 enough. That's enough. And they continue,  
6 continue it. I go back inside the Police  
7 Department and ask for more help.

8 Q. Who did you ask for help?

9 A. The lieutenant that was there.

10 Q. The lieutenant that was at the  
11 desk in the front?

12 A. Hayes, yes.

13 Q. What, if anything, did  
14 Lieutenant Hayes say to you?

15 A. Nothing.

16 Q. Did he do anything?

17 A. I screamed I need, I need help.  
18 They kill my husband. He look at me, and I  
19 go back, because he not move. He not do  
20 anything.

21 MS. SHERVEN: Move to strike  
22 the portion that's nonresponsive.

23 Q. How long were you inside the  
24 precinct at that time?

25 A. Second, second.

1 A. GOMEZ 80

2 Q. And then you went back outside?

3 A. Yes.

4 Q. What did you see first when you  
5 got back outside the second time?

6 A. Mario have the handcuffs and go  
7 down to the ground.

8 Q. So, Mario's laying on the  
9 ground.

10 A. Yes.

11 Q. And his hands cuffed at the  
12 time?

13 A. Yes, and they continued -- and  
14 Ebel continue to do electricity one more  
15 time.

16 Q. Where did you see Ebel use the  
17 electricity on Mario?

18 A. In the back.

19 Q. At that time when you came back  
20 out, did you see anyone else use  
21 electricity?

22 A. At the time only Ebel.

23 Q. And you said he did it one more  
24 time?

25 A. Yes.



1 A. GOMEZ 81

2 Q. Did you see any police officer  
3 use the electricity on Mario in anywhere  
4 other than his back?

5 A. In the moment, no.

6 Q. At anytime?

7 A. Yes. Yes. They use it again.

8 Q. Okay, up until the time you  
9 came out of the precinct the second time  
10 okay.

11 A. Okay, when I get out Ebel use  
12 it one more time.

13 Q. I'm going to stop you there.  
14 At that point had you seen them use the  
15 electricity anywhere other than your  
16 husband's back?

17 A. Yes.

18 Q. Where?

19 A. In the neck, and Michael Gasker  
20 put in the neck.

21 Q. Did you see that?

22 A. Oh, yes, that's when I cringe  
23 like a crazy. I have the vision here.

24 MS. VOLPER: You're pointing to  
25 your head?

1 A. GOMEZ 82

2 A. Yes. Michael Gasker have it in  
3 the neck, and Ebel he gave Mario electricity  
4 I think in the right side, here, because  
5 he's like this.

6 MS. VOLPER: Pointing to your  
7 temple.

8 A. Yes, on the ground. He's like  
9 that. He put like close to here, the hair,  
10 in the hair here in this area he put the  
11 electricity.

12 Q. Was those times was that the  
13 second time you came out of the precinct or  
14 before?

15 A. That's the second time and he  
16 have a handcuffed when they do it the second  
17 time the electricity.

18 Q. Were there any other police  
19 officers outside after you came out the  
20 second time?

21 A. No. When I came out the second  
22 time only all three there. Jose Quinoy  
23 kicked Mario in the top of the hair. They  
24 put the electricity that I sat the second  
25 time in the neck in the hair, because I told

1 A. GOMEZ 83

2 Jose Quinoy next to me, I touched -- he have  
3 a -- Mario use it today. What do you call,  
4 the polo.

5 MS. VOLPER: He had a long  
6 sleeve shirt is that what you're  
7 saying?

8 THE WITNESS: Yes.

9 MS. VOLPER: A long-sleeved  
10 polo.

11 A. Jose Quinoy have one that  
12 night, black, and I touch, Jose, Jose, like  
13 this. I not hit. I not doing anything.  
14 Stop it. Stop. He hold me by my jacket and  
15 he threw me in front to my car.

16 When Mario tried to --

17 Q. -- I'm going to stop you there.  
18 Just let me ask the questions, okay.

19 So, you walked up to Detective  
20 Quinoy and touched his arm?

21 A. Not really touch. I say stop,  
22 stop, stop, you know.

23 Q. You said something, he was  
24 wearing a long sleeve shirt?

25 A. No, not his shirt, not hit or

1 A. GOMEZ 84

2 touch. I say stop, stop, stop. And he not  
3 listen. I say stop. That's the contact  
4 that I had with Mr. Quinoy.

5 Q. Did you touch his arm?

6 A. Not really touch, because he's  
7 very excited. I can't touch. I crazy.  
8 Maybe he kill me.

9 MS. SHERVEN: Move to strike  
10 the portions not responsive.

11 MS. VOLPER: So, the way you  
12 motioned, you're making a motion with  
13 your hands.

14 THE WITNESS: Yes. I say stop,  
15 stop, like that.

16 Q. You never touched his arm?

17 A. No, not really touch him.

18 Q. When you say not really,  
19 though, what do you mean?

20 A. I say, no, I not touch him. He  
21 look like animal out of control.

22 MS. SHERVEN: Move to strike  
23 the portion as nonresponsive.

24 Q. When you're saying to Detective  
25 Quinoy, stop, that you say he then grabbed

1 A. GOMEZ 85

2 you by the shirt?

3 A. My jacket, I have a jacket.

4 Q. And what happened then?

5 A. He threw me down.

6 Q. Did he physically pick you up  
7 off the ground?

8 A. Oh, yeah. He hold me and threw  
9 me down.

10 Q. When you say that he threw you  
11 down, can you approximate for me the  
12 distance?

13 A. The distance is here about two  
14 or three feet because my car is next to him,  
15 and he threw me in the top of my car.

16 Q. What did you see happen next?

17 A. Well, when I go down Mario  
18 tried to up, and say are you crazy. She  
19 have a surgery, and they started hitting  
20 Mario again.

21 Q. And these are the three  
22 officers that you mentioned earlier?

23 A. Yes.

24 Q. Where did they hit him at that  
25 time?

1 A. GOMEZ 86

2 A. They put down, Gasker put down  
3 put the neck in the Mario's neck and push  
4 down and hit.

5 MS. VOLPER: Did he put his  
6 knee in Mario's neck?

7 A. In the neck, yes. He like that  
8 all the time and push Mario down. And Mario  
9 he's in the ground like that, and he  
10 stopped. I'm talking about the Ebel, and he  
11 -- what do you say -- hit Mario in the face  
12 like this.

13 MS. VOLPER: Kicked?

14 A. No. Put the fists on the top  
15 like that.

16 MS. VOLPER: Put his fists?

17 THE WITNESS: Yes, like this,  
18 in her face.

19 MS. VOLPER: You're motioning  
20 you're stomping on the ground?

21 THE WITNESS: No. Mario's in  
22 the ground like that.

23 Q. You're indicating his head is  
24 to the left side?

25 A. Yes. He looking at me. He's

1 A. GOMEZ 87

2 in the back, he's, yeah, in the left side.  
3 That's when they give the electricity, too,  
4 Gasker. And he move up and put the fists in  
5 Mario's face like this very very hard in the  
6 face.

7 MS. VOLPER: Did you say fists?

8 THE WITNESS: The feet, like  
9 this.

10 MS. VOLPER: Oh, the feet.

11 THE WITNESS: Like this in  
12 Mario's face. Gasker do it, and Jose  
13 Quinoy continue kicking. That's when  
14 all the police coming.

15 Q. When you say all the police  
16 come, who are you referring to?

17 A. Thank God. Tarrytown Police  
18 Department coming for help.

19 Q. Do you know who called the  
20 Tarrytown Police?

21 A. No. I don't have idea.

22 Q. How many officers arrived?

23 A. Around six or seven, because I  
24 saw too many cars, but I'm not counting.

25 Q. Did you see any other Sleepy

1 A. GOMEZ 88

2 Hollow police cars or officers?

3 A. Yes, they coming I think two,  
4 and one that I know coming at the time is  
5 what the names -- the lieutenant's son. He  
6 was there. But nobody do -- the Sleepy  
7 Hollow police coming, but they not do.  
8 Anything. They only look. Everybody in  
9 shock. Look like that. Don't say anything.  
10 Don't do anything. Don't try to stop, and  
11 Ebel and Jose do continue to hit Mario and  
12 he's on the floor with the handcuffs.

13 When the police, the Tarrytown  
14 coming, I think they sergeants, but I don't  
15 really really familiar with the people, the  
16 Police Department, I tell you the truth.  
17 Take Jose Quinoy and say, Jose, that's  
18 enough. That's when everything stopped.

19 Q. Did you see that happen?

20 A. Oh, yes, I was there. Two feet  
21 the distance. When he coming he say, Jose,  
22 that's enough. That's the police for the  
23 Tarrytown.

24 Q. At any point in time during  
25 this whole incident that you described, did



1 A. GOMEZ 89

2 you see Mario strike Detective Quinoy?

3 A. No.

4 Q. At anytime did you notice  
5 whether Detective Quinoy had any injuries?  
6 Was he bleeding or bruised?

7 A. Quinoy?

8 Q. Quinoy.

9 A. I don't know. I don't know. I  
10 don't know.

11 Q. Did you later see him at the  
12 hospital?

13 A. Well, this not stop it there.  
14 I see in the hospital, but the problem not  
15 stop right away.

16 Q. I'm just asking whether you saw  
17 him at the hospital later?

18 A. Jose Quinoy?

19 Q. Quinoy.

20 A. Yes, I went in the hospital.

21 Q. Did you ever find out if  
22 Detective Quinoy had any injuries?

23 A. No. He sit down in the other  
24 side with Jimmy Warren, the Chief, and I  
25 don't know for what reason he was there.

1 A. GOMEZ 90

2 Q. When the Tarrytown Police  
3 arrived that's when everything stopped; is  
4 that correct?

5 A. Not everything has stopped.  
6 The police the Tarrytown take it out Jose  
7 out of Mario.

8 Q. What happened then?

9 A. Well, they hold Mario. Gasker  
10 and Ebel hold Mario. Stand up in front of  
11 me, okay. Jose Quinoy coming and saying  
12 little things and punch Mario in her face  
13 again.

14 Q. Where did this happen?

15 A. In front of everybody.

16 Q. Was Mario standing?

17 A. Standing. When they stand  
18 Mario because he no have anything. He no  
19 have nothing. When they stand Mario, Mario  
20 like that, he coming and.

21 Q. You're indicating his hands are  
22 cuffed behind his back?

23 A. Yes, in the back, and two  
24 policemen holding him, and Michael and I  
25 don't know who, because at the time I feel

1 A. GOMEZ 91

2 so nervous, crazy, he threw him on the  
3 floor. I have a pain. I saw he come and  
4 punch Mario in the face.

5 Q. Punching, you're using you  
6 right fist; is that correct?

7 A. The right or the left I'm not  
8 sure.

9 Q. But it was his hand?

10 A. Yes, the hands.

11 Q. With the closed fist?

12 A. Yes, closed like this, and he  
13 hit Mario in his face.

14 Q. Where in the face?

15 A. I think in the right eyes.

16 Q. What happened next?

17 A. Next, they hold Mario. I don't  
18 know for what reason. He's in the front of  
19 the Police Department, they coming, and they  
20 put Mario in the seat back with the car,  
21 okay. And Richard -- that's the guy driving  
22 the car.

23 MS. VOLPER: Richard  
24 Delasandra.

25 A. Yes, he's here in front of me.

1 A. GOMEZ 92

2 The door is open, okay because I not leave.  
3 I have a lot of pain, but I'm going to stay  
4 there.

5 Q. Which door is open, the police  
6 car?

7 A. The police car in the back,  
8 they sit down Mario in the back with the  
9 handcuffs and everything, and Jose Quinoy  
10 give another orders. Do this, do that,  
11 orders, he doing orders to the people there.  
12 Do this. Do that. And he coming in front.  
13 Richard because he's in the front and I am  
14 in the back and kick Mario in her face.

15 Q. Where in the face?

16 A. In the right side, here, all  
17 the face, boom, in the face, coming the  
18 kick.

19 Q. And that's when Mario was  
20 sitting in the police car?

21 A. Yes.

22 Q. What happened then?

23 A. They close the door and they  
24 take --

25 Q. Who's they?

1 A. GOMEZ 93

2 A. Who?

3 Q. Who closed the door?

4 A. Richard and he drive the car  
5 and go back to the Police Department.

6 Q. Did you see Detective Quinoy  
7 kick Mario?

8 A. Oh, yes.

9 Q. When the police car drove away,  
10 what did you do?

11 A. I going inside.

12 Q. You walked in?

13 A. Yes. I going inside the Police  
14 Department, because I want to see what  
15 happened with Mario. That's the first time  
16 that I have experience about that, and I  
17 have to see what the next step that I have  
18 to do that.

19 Q. At that time, how were you  
20 physically feeling?

21 A. Very bad, I have a lot of pain.

22 Q. Where?

23 A. In all my stomach here in my  
24 back part.

25 Q. When you said that Detective

1 A. GOMEZ 94

2 Quinoy threw you onto the car onto your car,  
3 what portion of your body hit the car?

4 A. All my front.

5 Q. Your front?

6 A. Yes.

7 Q. Your chest?

8 A. Yes.

9 Q. What about your stomach?

10 A. All my stomach, everything,  
11 because he moved my body. He's a man threw  
12 it to the car.

13 Q. Can you describe the pain that  
14 you were experiencing in your stomach?

15 A. Not really my stomach. In my  
16 back part, you see when you have a --

17 MS. VOLPER: -- are you saying  
18 your bad part.

19 THE WITNESS: No, here.

20 MS. VOLPER: Where you had your  
21 hysterectomy, your lower abdomen?

22 THE WITNESS: Yes, were you  
23 have the feeling, the part that you  
24 feel that's where I feel it bad pain.

25 At the time my daughter Haydee

1 A. GOMEZ 95

2 and Jenny coming to the Police  
3 Department.

4 Q. I'm going to stop you there,  
5 now. Can you describe the pain. You said  
6 it's a bad pain. Is it sharp? How would  
7 you describe it?

8 A. No. I feeling something coming  
9 down then my body.

10 Q. What do you mean?

11 A. Bad pain when you have a bad  
12 bad pain, and you feeling something oh, my  
13 God, something coming down.

14 MS. VOLPER: Something coming  
15 down.

16 Q. Do you mean internally?

17 A. Internally, I'm feeling  
18 something out of my body. That's what I  
19 feeling at the moment.

20 Q. Is that when your daughter  
21 Haydee and Jenny arrived?

22 A. Jenny and Haydee coming to the  
23 Police Department, because I call Haydee and  
24 I say I feel so bad, and they bring me to  
25 the hospital, Jenny and Haydee.

1 A. GOMEZ 96

2 Q. Is that to Phelps Hospital?

3 A. Yes.

4 Q. What treatment, if any, did you  
5 receive at the hospital?

6 A. At that time, when I was there  
7 I lost controlled.

8 Q. When you say that you lost  
9 control at the hospital, what are you  
10 referring to?

11 A. When I went in the hospital I  
12 have a terrible pain in my life.

13 Q. Did the pain change or worsen  
14 by the time you got to the hospital.

15 A. No. When I went in the  
16 hospital, they put me in the inside right  
17 away because I was screaming. I can't walk.  
18 I feel my life coming down, a very bad pain  
19 I have at the moment.

20 MS. SHERVEN: I move to strike  
21 the portions that not responsive.

22 Q. Did the medical professional  
23 examine you?

24 A. Oh, yes.

25 Q. What did they do?



1 A. GOMEZ 97

2 A. They do a test, the readings.

3 Q. Which tests?

4 A. The readings, and they give me  
5 two or three shots, because they put me  
6 first one, and then I were for the pain.

7 Q. Shots for the pain?

8 A. Yes, they gave me two or three.

9 Q. What other types of testing did  
10 they do?

11 A. No. He say they do the  
12 emergency, they do the first thing. I told  
13 them that I have the surgery, and what  
14 happened. And they say they put me for the  
15 pain, and I go home. And I had to go to  
16 everything's fine. I had to go the next  
17 day. They made an x-ray, because I have a  
18 lot of pain in my left side in my ribs when  
19 I breathe I feel pain. I have a bad pain in  
20 all this right side in my ribs.

21 MS. VOLPER: You're pointing to  
22 your left ribcage?

23 A. Yes, in the left, and they take  
24 an x-ray.

25 Q. Did they tell you what the

1 A. GOMEZ 98

2 results were of the x-rays?

3 A. Well, at the moment they say  
4 you have a bruised rib they not say.

5 MS. VOLPER: Bruised rib?

6 A. Bruised, because it's very sore  
7 at the time. He not see good. I went again  
8 to take another x-ray.

9 Q. What was the result of that  
10 x-ray?

11 A. Well, the doctor say it's  
12 broken or not they can't do anything. I had  
13 to live like that and relax. That's what I  
14 do.

15 Q. Did they tell you at anytime  
16 that your ribs were cracked or broken?

17 A. No, I don't think so broken  
18 broken, but they have a bruise.

19 Q. Bruise. When you first went to  
20 Phelps Hospital, did they examine you  
21 internally because of the hysterectomy?

22 A. Yes.

23 Q. Did they tell you if there was  
24 anything wrong internally?

25 A. No. They say everything --

1 A. GOMEZ 99  
2 remember I no have nothing. They say is the  
3 pain that I feeling is for the surgery,  
4 because this happened one month later. But  
5 I don't have nothing inside because first of  
6 all if I saw the doctor, I'm feeling  
7 something come out of my body. He say, no,  
8 that's the sense because you only have one  
9 month the surgery.

10 Q. At any point in time after  
11 October 17, 2006, did you experience any  
12 bleeding?

13 A. Not bleeding, but I have a lot  
14 of pain for around one and a half, two  
15 months. I went to Doctor Carniciu a couple  
16 of times and complained about that.

17 Q. Where were you experiencing  
18 this pain; in your ribs or your lower  
19 stomach?

20 A. In my ribs and my lower  
21 stomach, too.

22 MS. SHERVEN: All right. This  
23 might be a good stopping point at  
24 this point since we're not able to  
25 finish with the 50-h today. Counsel

1 A. GOMEZ 100

2 has an appointment in the city, so  
3 we'll reschedule for a mutually  
4 convenient time. Okay, thank you.

5 (Time noted 3:54 p.m.)

6

7

8

\_\_\_\_\_  
AWILDA GOMEZ

9

10 Subscribed and sworn to  
11 before me this \_\_\_\_\_ day  
12 of \_\_\_\_\_, 2007.

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Notary Public

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C E R T I F I C A T E

STATE OF NEW YORK       )  
                                  )ss.:  
COUNTY OF WESTCHESTER)

I, NANCY P. TENDY, a Shorthand  
Reporter and Notary Public within and for  
the State of New York, do hereby certify:

That AWILDA GOMEZ, the witness  
whose deposition is hereinbefore set forth,  
was duly sworn by me, and that such  
deposition is a true record of the testimony  
given by the witness.

I further certify that I am not  
related to any of the parties to this action  
by blood or marriage, and that I am in no  
way interested in the outcome of this  
matter.

IN WITNESS WHEREOF, I have  
hereunto set my hand this 13th day of April,  
2007.

---

NANCY P. TENDY  
SHORTHAND REPORTER

INFORMATION REQUESTED DURING DEPOSITION

1. Authorization for psychologist, Page 7  
Line 23.
2. Authorization for Doctor Carniciu, Page  
9 Line 8.
3. Production of two newspaper articles,  
Page 17 Line 22.
4. Copy of Index Cards with names on it,  
Page 72 Line 4.

ERRATA SHEET

The following corrections, additions or deletions were noted on the transcript of the testimony which I gave in the above-captioned matter held on 3/30/07:

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\_\_\_\_\_  
AWILDA GOMEZ

Subscribed and sworn to  
before me this\_\_\_\_day  
of\_\_\_\_\_, 2007.

\_\_\_\_\_  
Notary Public

